

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

EDWARD BUTOWSKY,

§

Plaintiff,

§

v.

§

MICHAEL GOTTLIEB, et al.,

§

Defendants.

§

Civil Action No.: 4:19-cv-00180

ORDER

Pending before the Court are the following Motions:

- (1) Plaintiff Edward Butowsky's ("Plaintiff") Unopposed Motion to Extend Deadline to File Response to Bauman Defendants' Motion to Dismiss (Dkt. 63);
- (2) Plaintiff's Unopposed Motion to Extend Deadline to File Response to CNN Defendants' Motions to Dismiss (Dkt. 64);
- (3) Plaintiff's Unopposed Motion to Extend Deadline to File Response to M& G Defendants' Motion to Dismiss and Reply Thereto (Dkt. 65);
- (4) Plaintiff's Unopposed Motion to Extend Deadline to File Response to New York Times Defendants' Motion to Dismiss (Dkt. 66);
- (5) Plaintiff's Unopposed Motion to Extend Deadline to File Response to Vox Defendants' Motions to Dismiss (Dkt. 67).

Upon consideration, the Court hereby **ORDERS**:

- (1) Plaintiff's Unopposed Motion to Extend Deadline to File Response to Bauman Defendants' Motion to Dismiss (Dkt. 63) is hereby **GRANTED**. Plaintiff's deadline to file a response to Docket 52 is hereby extended to **July 22, 2019**.
- (2) Plaintiff's Unopposed Motion to Extend Deadline to File Response to CNN Defendants' Motions to Dismiss (Dkt. 64) is hereby **DENIED**. While Plaintiff represents that the Motion is unopposed, Plaintiff has yet to confer with the appropriate defendants.

Plaintiff is **ADMONISHED** for representing the Motion is unopposed; a motion cannot truthfully be described as "unopposed" simply because Plaintiff failed to communicate with opposing counsel. A representation that a motion is unopposed would necessarily require a meaningful conference to have occurred. In this matter, it is clear that no such communication took place, and Plaintiff's counsel is warned that a lack of respect for the duty of candor may result in sanctions.

(3) Plaintiff's Unopposed Motion to Extend Deadline to File Response to M& G Defendants' Motion to Dismiss and Reply Thereto (Dkt. 65) is hereby **GRANTED**. Plaintiff's deadline to respond to Dockets 48 and 49 is hereby extended to **July 22, 2019**.

IT IS FURTHER ORDERED that Defendants Leonard A. Gail, Eli J. Kay-Oliphant, Suyash Agrawal, and Massey & Gail LLP's deadlines to file a reply in support of Dockets 48 and 49 is hereby extended to **August 5, 2019**.

(4) Plaintiff's Unopposed Motion to Extend Deadline to File Response to New York Times Defendants' Motion to Dismiss (Dkt. 66) is hereby **GRANTED**. Plaintiff's deadline to respond to Dockets 46 and 47 is hereby extended to **July 22, 2019**.

(5) Plaintiff's Unopposed Motion to Extend Deadline to File Response to Vox Defendants' Motions to Dismiss (Dkt. 67) is hereby **GRANTED**. Plaintiff's deadline to respond to Dockets 44 and 45 is hereby extended to **July 22, 2019**.

IT IS SO ORDERED.

SIGNED this 17th day of July, 2019.



KIMBERLY C. PRIEST JOHNSON
UNITED STATES MAGISTRATE JUDGE